

HOUSE BILL No. 1228

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-21-4-1.

Synopsis: Recording of mortgages, conveyances, and leases. Provides that if an instrument that is not required to be recorded under a statute requiring the recording of mortgages, conveyances, and leases has been recorded for at least two years, constructive notice of the instrument's recordation is established.

Effective: July 1, 2007.

Grubb, Whetstone

January 11, 2007, read first time and referred to Committee on Judiciary.

C
o
p
y



Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1228

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 32-21-4-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The following
3 must be recorded in the recorder's office of the county where the land
4 is situated:

5 (1) A conveyance or mortgage of land or of any interest in land.

6 (2) A lease for more than three (3) years.

7 (b) A conveyance, mortgage, or lease takes priority according to the
8 time of its filing. The conveyance, mortgage, or lease is fraudulent and
9 void as against any subsequent purchaser, lessee, or mortgagee in good
10 faith and for a valuable consideration if the purchaser's, lessee's, or
11 mortgagee's deed, mortgage, or lease is first recorded.

12 (c) If:

13 (1) an instrument is not required to be recorded under
14 subsection (a); and

15 (2) the instrument has been recorded for at least two (2)
16 years;

17 constructive notice of the instrument's recordation is established.

2007

IN 1228—LS 7412/DI 106+



C
o
p
y